

E-Filed 04/25/08

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

HUHTAMAKI FINANCE, B.V., a Netherlands corporation; HERSHEY CHOCOLATE & CONFECTIONARY, a Delaware corporation; and THE HERSHEY COMPANY, a Delaware corporation,

Plaintiffs,

v.

KENNETH DEAN AFFOLTER, an individual, d/b/a BEYOND BOMB,

Defendant.

Case Number C 07-02514 JF (RS)

ORDER¹ GRANTING DEFENDANT'S MOTION FOR EXTENSION OF TIME AND RESETTING BRIEFING SCHEDULE

Defendant Kenneth Dean Affolter ("Defendant") seeks an extension of time within which to file motions to set aside his default and to dismiss Plaintiffs' complaint. This request, which is unopposed, is based on Defendant's current incarceration in federal prison.

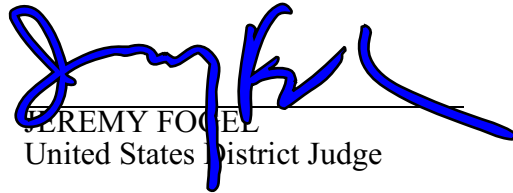
Good cause therefor appearing, the request will be granted. Defendant shall have ninety (90) days from the date of this order within which to file motions to set aside the default and to

¹ This disposition is not designated for publication and may not be cited.

1 dismiss Plaintiffs' complaint. Plaintiffs shall have thirty (30) days from the filing date of
2 Defendant's motions to file opposition to the motions, and Defendant shall have thirty (30) days
3 from the filing of Plaintiffs' opposition to file a reply. In light of Defendant's incarceration, the
4 Court will take the motions under submission and issue orders without oral argument pursuant to
5 Civil Local Rule 7-1(b).

6
7 IT IS SO ORDERED.

8 DATED: 04/25/08

9
10 
11 JEREMY FOGEL
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1 This Order has been served upon the following persons:

2 vito.costanzo@hklaw.com

3 Notice will be delivered by other means to:

4 **Kenneth Dean Affolter**

5 93480-111

6 FCI Lompoc

3600 Guard Road

Lompoc, CA 93436-2705